

GIRLS ACQUITTED ON ALL COUNTS

Charged With Shooting Millionaire Stokes.

JURY OUT 58 MINUTES

Then Hearing the Verdict Miss Conrad Went Into Violent Hysterics and It Was Several Minutes Before She Was Quieted.

Gillian Graham and Ethel Conrad were freed at New York of criminal charges on which they had been held since July for shooting the millionaire sportsman and hotel proprietor, W. E. D. Stokes. The jury reached its verdict in fifty-eight minutes.

The "shooting show girls" were tried on an indictment of three counts, the first charging an attempt to murder Stokes. No consideration of this count however, was given, as it was rejected by Justice Marcus, at the request of the district attorney. The court restricted the jury to the second and third count, which charged, respectively, assault in the first degree, intent to kill, and assault in the second degree, with intent to do bodily injury.

While the jury was deliberating the two defendants were held prisoners in an adjoining room. Waiting was a doctor who had been sent for when Graham appeared completely unstrung and was assisted into the court room trembling in every limb. The more spirited Miss Conrad came unstrung, and the two girls' arms about each other. It was a support to the spectators, for Miss Conrad had kept much better nerve of the two defendants throughout the trial. On the other hand, Miss Graham, who conducted the two during the trial and who had been the first to demand the verdict, recovered herself when she saw her companion so affected and acted as the comforter to her younger friend.

CREW OF 95 LOST.

Went to Death Singing Praises of Their Country.

Going to death singing the national anthem and shouting "banzai" for the Japanese, 95 members of the crew of the Japanese torpedo boat destroyer *Harusame* went down with the vessel on November 24, according to advice brought by the steamer *Panama* to Victoria, B. C.

Stories of the 15 survivors are often told, and the scenes enacted by the commander of the destroyer *Harusame*, are dramatic. The *Harusame*, which was caught in a hurricane in the inland sea, started for Wakayama in distress, the vessel swinging with the waves in the storm.

The commander sought to make *Maru* island. The destroyer was unmanageable, however, and an hour later dashed on a reef. The *Harusame* slowly foundered. When the end was near the crew gathered at the bridge and continued singing the national anthem and shouting "banzai" until the sea went them away.

NINE HURLED TO DEATH.

Ten Seriously Injured in Wreck on Chicago, Milwaukee and St. Paul railroad at Odessa, Minn., and nine persons were killed in wrecks on the Chicago, Milwaukee and St. Paul railroad at Odessa, Minn., and nine or more were seriously injured when the second section of train No. 3, the *Chicago*, from Seattle, crashed into the first section, which had been stopped on signal.

The dead are:

Mrs. C. W. Barber, Ferry Mont, Ind.; Mrs. C. W. Barber, Ferry Mont, Ind.; Mrs. J. Richards and daughter, Fortbridge, S. Dak.

Dr. R. F. Whetstone, Minneapolis, Minn. Five unidentified dead.

Among the injured are Miss Eliza Bennett, Boston, Mass., seriously, and Miss Anna Kennedy, New Castle, Ind., bruised.

FIGHT AT GRAVE.

Woman Hauled Copy of "Gates Ajar" at Her Opponent.

Mrs. Maude Bors was fined \$70 at Covington, Ind., in circuit court for an assault on her cousin, Mrs. Mary Osborne, which occurred at the grave of the deceased son, last Memorial day. The evidence showed that Mrs. Bors had buried a copy of "Gates Ajar" and a spincing can at her opponent. Mrs. Bors had been refused permission to lay a wreath of flowers upon the grave.

Dies on Xmas Journey.

Harold C. Schaeffer, 17, and formerly of Pittsburgh, Pa., died as the Pullman car on which he was returning from Bartlesville, Okla., for a Christmas visit, reached the Union Station at Birmingham. He had become ill while the train was en route, and Schaeffer and telegrammes had summoned a hospital ambulance and a physician at the station to meet him, but he was dead when they reached the car.

Administratrix.

Mrs. Florence L. Nolin, Administratrix and Transferee of said Mort-

gage.

E. O. Baldwin, Attorney for Transferee.

Dec. 9, 1911.

Bitter Affidavits Of Prominent Alabamaans.

(Continued from Tuesday's Edition.)

The letter of Governor O'Neal to Mr. Harding is as follows:

"Morris Hotel, Jan. 29, 1910.

"Mr. W. G. Harding, Birmingham, Ala.

"My dear Mr. Harding: In response to your letter of the 25th inst., making inquiry as to my position on corporate legislation, in the event I am elected governor, I beg to say that my published statement expresses my sincere convictions on the subject matter of your letter, and by which I will be guided if called to the position of chief executive of the state.

"My dear Mr. Harding: In response to your letter of the 25th inst., making inquiry as to my position on corporate legislation, in the event I am elected governor, I beg to say that my published statement expresses my sincere convictions on the subject matter of your letter, and by which I will be guided if called to the position of chief executive of the state.

"I will say further, however, that I construe the recent election in Alabama as an expression on the part of the people for more temperate and better considered legislation on the subject of corporate property.

"I further believe that the recent election carries with it the further lesson that the masses of thoughtful people in the state believe strongly in a more conservative policy in the regulation of public service corporations.

"I shall be guided, if elected, by this sentiment, which I firmly believe pervades every class of my fellow citizens."

"Thoughtful men are now more interested in the extension of these corporations, with better service and better equipment, than they are in radical legislation for further rate reform.

"All realize that the development of the resources of the state demands additional railroad construction and increased railroad facilities for the expeditious handling of the great volume of freight produced by the mills, mines and farms of this state."

"I am thoroughly convinced that the people of Alabama have no disposition to prevent fair and even liberal returns to those who have invested their earnings in our public service corporations. "We cannot succeed in our efforts to restore tranquility and prosperity to the state and to develop our enormous resources unless we accord to capital, whether corporate or private, invested there outside the state, the same protection furnished to capital invested by our own citizens.

"I fear that the apparent hostility of the recent legislature to foreign investments, of whatever nature, has frightened investors to such an extent that they are looking elsewhere for a field in which to direct the investment of capital, when Alabama offers more inducements than any other section of the country.

"This tendency should be overcome by careful and just legislation. I would be inclined at all times to be guided by the more conservative and thoughtful business men in every walk of life in the state, men like yourself, whose patriotism and conservatism are recognized, believing that such a course would be for the advancement of every interest which might be intrusted to my charge."

"The above would be an outline of my policy if called to administer the affairs of this state. Very sincerely your friend,

EMMET O'NEAL."

Administrative Notice of Appointment.

Estate of S. H. 1. In the Probate Court of Coffee Co., Ala., Deceased) at Elba, Alabama.

To whom it may concern:

All parties interested are hereby notified that, Monday, the 11th day of December, 1911, I was duly appointed as Administratrix of the above mentioned indebtedness—proceeded to sell on Monday, the 15th day of January, 1912, within the legal time of sale, to the highest bidder, at public auction, at or near the front steps or entrance of the Court House, Elba, Coffee County, Alabama, the following described property contained in and conveyed by said mortgage, to-wit: South half of North east fourth of section 3, Township 4, Range 19, Coffee County, Alabama, this 5th day of Dec. 1911.

M. E. Donaldson,

Administrator, with Will Annexed, of

C. C. Fleming, deceased.

M. J. A. Carnley, Atty. for administrator,

The Elba Clipper, Twice-A-Week.

Weekly established June 17, 1887. Changed to
Semi-Weekly July 18, 1898.

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BRYAN & CARNLEY, Proprietors.
J. A. CARNLEY, Editor.
A. J. BRYAN, Jr., Business Manager.

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Three months \$1.00
Six months \$1.50
One Year \$1.80

INvariably CASH in ADVANCE.
All names go off mail list at expiration
subscription.

Entered as second-class matter July 18, 1898,
at the Postoffice of Elba, Ala., under the act of
Congress of March 3, 1879.

ELBA, ALA., DEC. 29, 1911.

Elba had a quiet Christmas.

Few marriage this Christmas.

Bird hunters have been useful
of late.

Another Christmas added to the
past.

Everywhere whiskey gets in its
work, crime is the harvest.

The Troy Herald carried the
day for saloons in Pike County.

In a civilized community, a
white boy "mobbed" and run out
of town.

The Christmas holidays have
brought pleasure to some and
trouble to others.

The old Devil got in his work
to spoil the holidays for some in
and around Elba.

Santa Claus visited many
homes in Elba Christmas Eve
night to the delight of the children.

The rumblings of dissatisfaction
as to the action of the State
Committee are heard all over the
State.

The prohibitionists in Pike
County lay down and let the sa-
loons have their way in voting
a return of the criminal saloon to
that county.

Hon. H. L. Martin is again
editor of the Ozark Tribune. Mr.
H. B. Mansfield, who had charge
of the paper for a while, has left
the country. Readers of the
Tribune are glad that Mr. Martin
has returned to the editorial
charge of the paper.

All Alabamians are patrician-
ally inclined to support Mr. Under-
wood for president, but some of
the self-constituted leaders are
rather distasteful to us. These,
however, are not the friends of
Mr. Underwood; they are for
Harmon.

Saved!

"I refused to be operated
on, the morning I heard
about Cardui," writes Mrs.
Elmer Sickler of Terre
Haute, Ind. "I tried Cardui,
and it helped me
greatly. Now, I do my own
washing and ironing."

E 63
Take CARDUI

The Woman's Tonic

Cardui is a mild, tonic
remedy, purely vegetable,
and acts in a natural manner
on the delicate, womanly
constitution, building
up strength, and toning up
the nerves. In the past 50
years, Cardui has helped
more than a million women.
You are urged to try it,
because it will do you good.
At all drug stores.

Are The Initiative And Referendum A Menace To The Republic? (BY KYLE B. PRICE.)

The political economist who
contends that the initiative and
the referendum are a menace to
the republic, misapprehends both
the nature of a representative
government, and the capability
of the American people for self-
government. The very essence of
representative government is the
right of the people to rule through
their representatives, not to be
ruled by them. Then it seems to
me that the only question raised
by the opponents of the initiative
and referendum, is, are the people
capable of governing themselves?

Representative democracy is
society organized to promote the
civic welfare, protect the inherent
rights, and secure the liberties of
the whole people, administered
through a government "deriving
its just powers from the consent of
the governed." If it be true
that, "the evils in our government
when it exists today, are due
to the failure of the servants of
the people, to honestly, fairly,
and justly perform the duties
imposed upon them," is there no
remedy for this condition without
an "assault on the fundamental
principles of representative
government?" If the servants of
the people misrepresent them, dis-
obey their instructions, and usurp
powers forbidden by the organic
law, can it be said that if the
people adopt constitutional
methods for the correction of
these evils, that it would be a
menace to the republic?

On the contrary, I assert that,
a republic whose declaration of
principles recognizes the sover-
eignty of the people cannot long
endure without a remedy for the
evils of misrule.

I cannot subscribe to the asser-
tion that "the masses of the
people are far better judges of men
than they are of measures, and are
far more likely to select an honest
man, than an honest measure." Such
an assertion, in my opinion,
does not rise to the dignity of
academic discussion. The public
position held by the author, can
be the only excuse for its appear-
ance in print. It is a harsh, un-
necessary and unfounded criticism
of the intelligence of the American
people. It is illogical. The
honesty, integrity, and faithfulness
to duty of the public servant
is an unknown quantity until he
has rendered his stewardship.
Men change, and the "masses"
can be mistaken in a changeable
quantity. The "measure" is a
thing that cannot change. It
may be ever so "honest" and
good for the masses, and assum-
ing that they are intelligent
enough to know that it is good
for them, will require the candi-
date seeking to represent them to
pledge his support of the
"measure," and upon that pledge
they commission him to represent
them, and he forgoes his pledge to
the people, and the MEASURE is
defeated. And we are told that
the only logical and peaceful
remedy for the prevention or cor-
rection of such an evil, is a
menace to the republic and would
establish a direct democracy.

The approaching shadow of a
direct democracy frightens me
less than a direct plutocracy en-
trenched behind a judicial
oligarchy. Even a direct demo-
cracy in the twentieth century by
ninety millions of American
people, would be less dangerous
to the republic, than direct plu-
tocracy by ninety powerful cor-
porations.

As long as servants of the
people are human they will err.
Some through mistaken judg-
ment, others by design. But
whatever the cause the burden on
the people is the same, and the
government that denies to them
the right to prevent or correct the
evils of misrepresentation or
usurpation of power, is an un-
popular and undemocratic govern-
ment.

I believe that the initiative and
referendum would replace

referendum applied to the legisla-
tive branch, and the recall to the
executive and judiciary, are the
only weapons that can now be
placed in the hands of the people
to secure to themselves truly re-
presentative government.

Of course if they are incapable
of governing themselves, they
ought not to rule. If I believed
that the people were an "irrespon-
sible mob," I would come out in
the open for autocratic rule. I
would not declare for the "sancti-
ty of representative government"
in one breath and in the next
declare that the people are too
ignorant to instruct their agents
or representatives. The ruling
mistake of those who oppose the
initiative and referendum and the
recall, is that they fail to recog-
nize the wide wide difference be-
tween a representative govern-
ment wherein the people rule,
and a so-called representative
government where the servants of
the people rule. Getting this
distinction before us, let us settle
once and for all the question of
the right of the people to adopt
any constitutional means by
which they can secure representa-
tion.

The government given to us by
the fathers, was a compromise
between the followers of Jefferson
on the one hand and Hamilton
on the other. The result was a
republican form of government
of the representatives of a people
just relieved from the autocratic
rule of a king. Yet they went so
far in the protection of representa-
tive government as to provide that
the president could not appoint
his cabinet, ministers and other
representatives to foreign
countries, attorneys general,
customs house officers and post-
masters, much less the federal
judiciary with life tenures, with-
out referendum to the senate
where every state of the union is
represented. They provided that
the constitution could be altered
or amended only by a referendum
to the people; and had they then
been able to look into the future
far enough to see the encroach-
ments of powerful corporations
on the functions of government,
they would have provided an
easier method than impeachment
for the recall of unfaithful
servants of the people.

Then if the principles of the
initiative, referendum and recall,
were recognized by those who
founded a representative govern-
ment, how can the employment
of that recognized principle
to enforce a truly representa-
tive government, destroy that govern-
ment?

If the initiative and referen-
dum are a menace to the republic
we will not be well for the pre-
servation of the republic, for the
legislatures of all the states, with-
out instructions from the people,
to amend their constitutions so
that, First: "There shall be
hereafter no referendum to the
people in amending this consti-
tution, but the legislature as the
representatives of the people shall
have that power." Second:
"There shall hereafter be no ref-
erendum to the people of the
county, parish or municipality in the
issue of bonds, granting of fran-
chises, licenses to sell liquor and
so forth, but the legislature, as
the representatives of the
people, alone shall have that
power." And third: "No
petition shall be initiated by the
people requesting a special elec-
tion in local option, but the leg-
islature, as the representatives of
the people will represent them in
the matter, since they are better
judges of 'honest measures' than
the people."

Why do our friends not follow
their argument to its logical con-
clusion instead of referring to
those who advocate the rule of
the members of that legislature. In
such cases it is impossible for the
legislator to know the will of
those whom he represents, hence
a referendum in such an instance,
is both wise and just.

The referendum would replace

Money To Loan

On COFFEE COUNTY FARMS
at 7 1/2 per cent interest.

3 to 10 years time. Small or large payments, as may suit
borrower. Liberal arrangements in case it is desired to pay
up one before time.

Many will be asked to account of high price and general
development. A little later there will be a rush for money.
As it takes a little time to get loans through, you had best
come on now.

BRING ALL YOUR LAND PAPERS.

Riley & Carmichael,
Attorneys, Elba, Ala.

Money To Loan

ON IMPROVED FARM LANDS.

We will lend you money on your improved
farm lands at a low rate of interest, on long
time payments, and easy terms. We make
the best contract of any Company in Alabama.

Don't fail to see us if you want cheap mon-
ey. Bring your deeds when you come to see us.

J. A. CARNLEY,
Attorney-at-Law,

Elba, Alabama.

IF YOU HAVE A SICKLY YOUNGSTER TRY THIS FREE

The family with young children
that is without sickly members
is not alone an opinion but
a fact.

This is not alone a fact but
that of Mrs. N. H. Mead of Freeport,
who has a granddaughter who has
been taking it successfully for years. J.

R. Whiting of Lena, Wis., who gives
it to her children and takes it herself.
It is a serious ailment needs a doctor, it is
true, but in the majority of instances
an amateur knows the child suffers
from some intestinal trouble, usually

from some intestinal trouble, usually</p

